


### REMARKS

The Examiner's Amendment included with the Notice of Allowance canceled claims 23-29. The Examiner telephoned Applicant on July 12, 2005 and stated he had reconsidered claims 23-29 and would now allow claims 23-29. Applicant therefore has added claims 23-29 of the Amendment dated June 13, 2005 as new claims 30-36 in this Amendment After Notice Allowance. The Examiner also reconsidered his Amendment of claim 14 and instructed that in claim 14, line 2, after "transgene", [that] be deleted, and after "herbicide", [is] be deleted.

Applicant respectfully requests entry of the foregoing amendments to the claims.

<b>SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED</b>					
NAME AND REG. NUMBER	Kenyon L. Schuett, Reg. No. 44,324				
SIGNATURE			DATE	August 31, 2005	
Address	Jondle & Associates P.C. Suite 230, 858 Happy Canyon Road				
City	Castle Rock	State	CO	Zip Code	80108
Country	U.S.A.	Telephone	303-799-6444	Fax	303-799-6898